



2631

PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/765,001
	Filing Date	January 18, 2001
	First Named Inventor	Gary R. Lomp
	Art Unit	2631
	Examiner Name	Bayard, Emmanuel
Total Number of Pages in This Submission	Attorney Docket Number	I-2-0091.11US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Form PTO-1449 and Copies of Five (5) Cited References
<input checked="" type="checkbox"/> Supplemental Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

RECEIVED

MAY 10 2004

Technology Center 2600

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Frank A. Mazzeo Reg. No. 46,259
Signature	Volpe and Koenig, P.C.
Date	5/4/04

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Typed or printed name	Frank A. Mazzeo
Signature	Date 5/4/04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:

Gary R. Lomp

**Application No.:** 09/765,001

**Confirmation No.:** 7271

**Filed:** January 18, 2001

**For:** MEDIAN WEIGHTED TRACKING FOR  
SPREAD-SPECTRUM COMMUNICATIONS

**Group:** 2631

**Examiner:** Bayard, Emmanuel

Our File: I-2-0091.11US

Date: May 4, 2004

**RECEIVED**

MAY 10 2004

Technology Center 2600

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
INCLUDING  
RULE 1.97(e)(1), RULE 1.97(e)(2) AND RULE 1.704(d) STATEMENTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Further to Applicant's Duty of Disclosure pursuant to 37 C.F.R. §1.56, Applicant wishes to bring to the Examiner's attention the material cited on the enclosed Form PTO-1449, which were cited in office actions in two corresponding foreign applications or in an Examiners' Notice of References Cited in a corresponding U.S. application. Copies of the references are enclosed.

Reference IQ is a counterpart to Japanese Patent Appln. Disclosure No. H6-501349 and reference IR is a counterpart to Int'l Publication No. WO 95/05037.

Pursuant to Rule 1.704(d), the undersigned certifies that references IQ and IR contained in this Supplemental Information Disclosure Statement (SIDS) were cited in communications from a patent office in corresponding foreign applications, and references IS-IU were cited in a communication from the U.S. Patent and Trademark Office in a corresponding U.S. application. None of these communications were


received by any individual designated in §1.56(c) more than thirty (30) days prior to the filing of the SIDS.

Although not required since no office action has issued yet in the instant application, Applicant hereby makes a statement under 37 C.F.R. 1.97(e)(1): the undersigned certifies that references IQ and IR in this SIDS were first cited in any communication from a patent office in a counterpart foreign application not more than three months prior to the filing of this SIDS.

Although not required since no office action has issued yet in the instant application, Applicant hereby makes a statement under 37 C.F.R. §1.97(e)(2): the undersigned certifies that references IS-IU in this SIDS were not cited in any communication from a foreign patent office in a counterpart foreign application, nor, to the knowledge of the undersigned after making reasonable inquiry, known to any individual designated in §1.56(c) more than three months prior to the filing of this SIDS.

It is respectfully requested that the Examiner consider these documents and return an initialed copy of the Form PTO-1449 indicating consideration of the cited materials.

Volpe and Koenig, P.C.  
United Plaza, Suite 1600  
30 South 17<sup>th</sup> Street  
Philadelphia, PA 19103  
FAM/sag  
Enclosures

Respectfully submitted,  
Gary R. Lomp  
By   
Frank A. Mazzeo  
Registration No. 46,259  
(215) 568-6400



FORM PTO-1449  U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (Use several sheets if necessary)	ATTY. DOCKET NO. I-2-0091.11US	SERIAL NO. 09/765,001
	APPLICANT Gary R. Lomp	
	FILING DATE January 18, 2001	GROUP 2631

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	IQ	5,568,483	10/1996	Padovani et al.			
	IR	5,652,765	07/1997	Adachi et al.			
	IS	5,812,593	09/1998	Kaku			
	IT	5,828,662	10/1998	Jalali et al.			
	IU	6,104,748	08/2000	Kaku			

RECEIVED

MAY 10 2004

Technology Center 2600

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.